

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

WILLIAM FRANCIS, JR.

Plaintiff,

v.

WARDEN THOMAS CARROLL,  
CORRECTIONAL MEDICAL SERVICES,  
STAN TAYLOR, and JOYCE TALLEY,

Defendants.

C.A. No. 07-015-JJF

TRIAL BY JURY OF  
TWELVE DEMANDED

**MOTION TO COMPEL ANSWERS TO INTERROGATORIES**

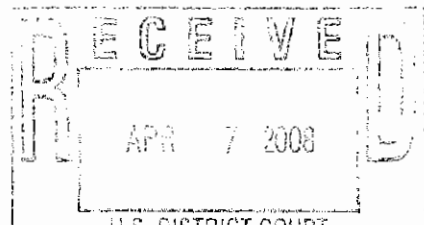
Plaintiff moves:

1. After commencement of this action, the Plaintiff on February 26, 2008, served on the State Defendants in this cause fifteen interrogatories in writing in accordance with Rule 33 of the Federal Rules of Civil Procedure. A copy of these interrogatories is attached to this motion.
2. Defendants failed to answer interrogatories 1 through 15 in the allotted time proscribed by Rules 33 and 37(a) of the Federal Rules of Civil Procedure.

WHEREFORE, Plaintiff moves this Honorable Court for an order directing and requiring State Defendants to answer under oath all of the interrogatories served on the State Defendants on February 26, 2008.

WHEREFORE, Plaintiff further moves this Honorable Court for an order awarding Plaintiff the reasonable expenses, including attorney's fees, incurred in obtaining this order.

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CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
FILED



Dated: April 4, 2008  
April 4, 2008

By: William Francis, Jr., pro se  
William Francis, Jr., pro se  
Delaware Correctional Center  
SBI #264560  
1181 Paddock Road  
Smyrna, DE 19977

**Certificate of Service**

I, William Francis, Jr. hereby certify that I have served a true and correct copy(ies) of the attached MOTION TO COMPEL ANSWERS TO INTERROGATORIES upon the following parties/persons:

To: Ophelia M. Waters

Deputy Attorney General

820 N. French Street, 6<sup>th</sup> Floor

Wilmington, DE 19801

To:

To:

To: Megan T. Mantzavinos

913 Market Street, #800

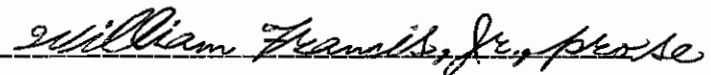
Wilmington, DE 19801

To:

To:

BY PLACING IN A SEALED ENVELOPE, and depositing same in the United States Mail at the Delaware Correction Center, Smyrna, DE 19977.

On this 4<sup>th</sup> day of April, 2008



William Francis, Jr. pro se

SBI # 264560

IM William Francis, Jr.

SBI 264560 UPT 40-D-22

DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
MARTINA, DELAWARE 19877

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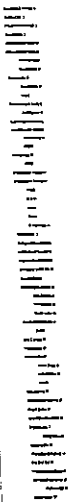
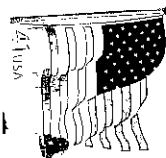
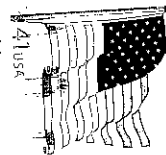
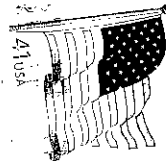
Office of the Clerk

U.S. District Court

844 N. King Street, Lockbox 18

Wilmington, DE

19801-3570



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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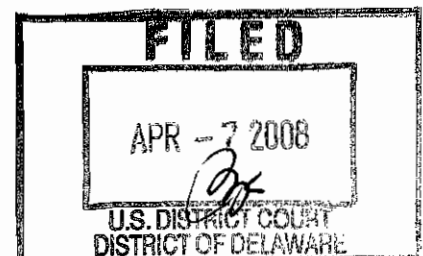
**PLAINTIFF'S FIRST SET OF INTERROGATORIES DIRECTED TO STATE**  
**DEFENDANTS CARROLL, TAYLOR AND TALLEY**

**TO:** THOMAS CARROLL, STAN TAYLOR and JOYCE TALLEY

Pursuant to Federal Rule Civil Procedure (FRCP) 33, Plaintiff hereby requests that you answer under oath the following Interrogatories within thirty (30) days. You are requested to set out each Interrogatory prior to the answer directed to it. If there is insufficient space to answer any Interrogatory, the remainder of the answer shall follow on supplemental sheets.

The plaintiff in the above-entitled action, pursuant to Rule 33 of the FRCP, requests the following interrogatories be answered jointly, under oath by defendants Thomas Carroll, Stan Taylor and Joyce Talley.

These Interrogatories shall be deemed continuing so as to require supplemental Answers between the time answered and the time of trial.



Pursuant to Fed. R. Civ. P. 34, all documents requested to be produced are to be attached to the Answers to Interrogatories. In the event that the requested documents cannot be attached to the Answers to Interrogatories, you are to provide the direct mail contact information of the agency and official to which Plaintiff may direct a request to view, inspect and copy the documents in question, and the reason why could not be attached to the Answers to Interrogatories.

**INTERROGATORIES**

1. Defendant Carroll: On what date did you impose a ban on any type or kind of dental floss at the Delaware Correctional Center (DCC), and on what date did the ban imposed by you become effective?

ANSWER:

2. Defendant Carroll: State and enumerate the reasons for which the ban on dental floss at DCC was imposed.

ANSWER:

3. Defendant Carroll: Was the ban on dental floss related to any legitimate penological interest and/or security purpose(s) or objective(s)?

ANSWER:

4. Defendant Carroll: Did you receive approval and authorization to impose a ban on dental floss at DCC from DOC Commissioner Stan Taylor?

ANSWER:

5. Defendant Carroll: Were you aware at the time you imposed the ban on any type or kind of dental floss at DCC that the removal of and prohibition on dental floss would pose serious risks to the oral health and overall physical well-being of the inmate population at DCC? Did you consult a medical/dental professional before imposing the ban and what is the name and last known address of the medical/dental professional or professionals?

ANSWER:

6. Defendant Carroll: Were you aware at the time you imposed the ban on any type or kind of dental floss at DCC that dental floss was being sold in the commissary to the inmate population at the Sussex Correctional Institution (SCI)?

ANSWER:

7. Defendant Taylor: Pursuant to Title 11 Del. Code Section 6536(a) through (e), describe your role, duties, obligations and powers in providing medical and dental services to inmates in all Delaware prisons and in entering into the contract(s) with Correctional Medical Services (CMS), Inc. to provide and offer such services to Delaware inmates.

ANSWER:

8. Defendant Taylor: Were you notified by defendant Carroll that a ban on dental floss was to be imposed at DCC? On what date were you notified? Please



provide a copy of the letter, memorandum, fax, report or e-mail on which the notification was written.

ANSWER:

9. Defendant Taylor: Give names and last known addresses of the chief medical officer (CMO) and other persons who advised and assisted you regarding the dental care policies you implemented between January 1, 2004 and January 31, 2007.

ANSWER:

10. Defendant Taylor: Between January 1, 2004 and January 31, 2007, were you informed by your advisors about the serious health risks associated with periodontal disease and the fact that at least 80% of inmates at DCC had been diagnosed with gum disease? Please provide copies of any and all memorandums, letters and reports prepared for you or by you between the above-referenced dates on dental care and services for inmates at DCC or in all Delaware prisons.

ANSWER:

11. Defendant Taylor: In real dollars and cents, what percentage of the Department of Corrections' annual budget did you allocate for inmate dental care, treatment and services from January 2004 -- January 2007? Please provide copies of the DOC's medical and dental services approved budget proposals from 2004 through 2007.

ANSWER:

12. Defendant Taylor: Pursuant to Title 11 Del. Code Section 6536(a), give the total number of Delaware inmates who you authorized to receive treatment at a clinic, medical institution or facility outside the Delaware Correctional Center from 2003 through 2007 and what percentage of the total was taken or escorted to a dental clinic or dental specialist's office for treatment, procedures and/or surgery.

ANSWER:

13. Defendant Taylor: What percentage of the total inmate population in all Delaware prisons, and specifically the Delaware Correctional Center, was diagnosed as having high blood pressure/hypertension and gum and/or periodontal diseases, in 2004 up to and including the date you answered this Interrogatory?

ANSWER:

14. Defendant Talley: What positions of employment did you maintain in the DOC from October 29, 2003 to April 1, 2007 or until the date you resigned from your position with the DOC?

ANSWER:

15. Defendant Talley: Pursuant to Title 11 Del. Code Section 6536(a) through (e), describe your role, duties, obligations and powers with respect to the provision of medical and dental services to inmates confined in Delaware prisons and the contracting of CMS, Inc. to provide and offer such services to Delaware inmates.

By: William Francis, Jr., pro se  
William Francis, Jr., pro se  
Delaware Correctional Center  
SBI #264560  
1181 Paddock Road  
Smyrna, DE 19977

DATED: February **26**, 2008

IM William Francis, Jr.

SBI 264560 UT 41-D-22

DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
MARTINA, DELAWARE 19877

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JERSEY 080 SOUTH JERSEY P & D

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